

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JUSTIN DOUGLAS HAYNES,	)	CASE NO.: C07-0828-RSM-MAT
	)	
Petitioner,	)	
	)	
v.	)	ORDER GRANTING
	)	RESPONDENT'S MOTION FOR
RON VAN BOENING,	)	EXTENSION OF TIME
	)	
Respondent.	)	
_____	)	

Petitioner, a Washington state prisoner proceeding *pro se*, has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. Respondent has filed a motion for a 45-day extension of time in which to file an answer. Having reviewed the motion and the balance of the record, the Court does hereby ORDER as follows:

(1) Respondent cites difficulty in obtaining the state court records as the reason for the extension of time. As respondent has shown good cause, the motion for extension of time (Dkt. #7) is GRANTED.

(2) No later than **September 9, 2007**, respondent shall file and serve an answer addressing the claims in the petition. As part of such answer, respondent shall state whether

petitioner has exhausted available state remedies and whether an evidentiary hearing is necessary. Respondent shall not file a dispositive motion in place of an answer without first showing cause as to why an answer is inadequate. Respondent shall file the answer with the Clerk of the Court and serve a copy of the answer upon petitioner.

(3) The answer will be treated in accordance with Local Rule CR 7. Accordingly, on the face of the answer, respondent shall note it for consideration on the fourth Friday after filing. Petitioner may file and serve a response no later than the Monday immediately preceding the Friday designated for consideration of the matter, and respondent may file and serve a reply no later than the Friday designated for consideration. See also Local Rule CR 4, concerning filing and service in general.

(4) The Clerk is directed to send a copy of this Order to petitioner and to counsel for respondent.

DATED this 27th day of July, 2007.

  
Mary Alice Theiler  
United States Magistrate Judge